

Appl. No. 09/493,984
Amdt. dated August 27, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2134



PATENT

REMARKS/ARGUMENTS

Amendments

The claims are modified in the amendment. In general terms, the idea from claim 3 was added to the independent claims. Should an appeal be necessary, this change is believed to clarify the issues. Therefore, claims 1-2, 4-19 and 21-23 are present for examination. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

35 U.S.C. §103 Rejections

The Office Action has variously rejected the claims under 35 U.S.C. §103(a) as being unpatentable using a machine translation of Japanese Patent No. JP409311854A to Yoneda (hereinafter "Yoneda"). Applicants note with appreciation the provision of a translation of this reference.

Yoneda is cited for the proposition that the signature should be separate from the signed information. Following from now canceled claim 3, the claims generally require that the signature be separate from one piece of signed information, but *included* with another piece of signed information. Yoneda teaches away from an inclusion by saying, "there was a problem of it becoming impossible to process [a] file to which [the] digital signature was added." Yoneda, paragraph [0008], last line. In light of the present state of the claims, reliance upon Yoneda where signature is included with signed information is believed unreasonable. Indeed, selective application of Yoneda's teachings would not be reasonable for one of ordinary skill in the art to attempt. Reconsideration is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is urged. Reconsideration of the claims in their current form is respectfully requested.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Thomas D. Franklin
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
TDF:cmb
60257085 v1

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